

**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

As a below-named inventor, I hereby declare that:

- My residence, post office address and citizenship are as stated below next to my name.
- I believe I am an original, first and joint Inventor of the subject matter which is claimed and for which a patent is sought on the Invention entitled "TRANSGENIC PLANT WITH INCREASED EXPRESSION OF GDP-MANNOSE PYROPHOSPHORYLASE", the specification of which

[ X ] is attached hereto

[ ] was filed on as  
[ ] United States Application Number  
[ ] PCT International Application Number

[ ] was amended on

- I hereby state that I have reviewed and understand the contents of the above-identified application, including the claim and the drawing.
- I acknowledge the duty to disclose information which is material to patentability, as defined in 37 CFR §1.56. If this application claims priority from a prior application, I acknowledge the duty to disclose information which is material to patentability, as defined 37 CFR §1.56, which became available between the filing date of the prior application and the date of this application.
- As to the subject matter of this application:
  - a. I do not know and do not believe that the same was ever known or used in the United States of America before my invention thereof;
  - b. I do not know and do not believe that the same was ever patented or described in any printed publication in any country before my invention thereof, or more than one year prior to the date of this application;
  - c. I do not know and do not believe that the same was in public use or on sale in the United States of America more than one year prior to the date of this application; and
  - d. Said subject matter has not been patented or made the subject of an inventor's certificate issued in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months prior to the date of this application.

[ X ] I hereby claim the benefit under 35 USC §119(e) of any United States provisional application listed below.

Application Number	Filing Date (MM/DD/YYYY)
60/126,680	3/29/99

**Please associate this application with USPTO Customer Number 020808**

- I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Michael F. Brown, Reg. No. 29,619  
Christopher A. Michaels, Reg. No. 34,390  
Christopher R. Pastel, Reg. No. 37, 694  
L. George Legg, Reg. No. 34,208  
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- Address all telephone calls to Christopher A. Michaels at telephone number 607-256-2000
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- E-mail communications should be addressed to: bpm@bpmlegal.com

"Recognizing that Internet communications are not secured, I hereby authorize the PTO to communicate with me concerning any subject matter of this application by electronic mail. I understand that a copy of these communications will be made of record in the application file"

- Address all correspondence to:

Brown, Pinnisi and Michaels, P.C.  
400 M&T Bank Building-118 North Tioga Street  
Ithaca, New York 14850-4343

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or

imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first or sole Inventor: Patricia L. Conklin  
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Patricia L. Conklin

10/14/99  
Date

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Susan R. Norris

10/17/99  
Date

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Citizenship: USA  
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Robert L. Last

10/4/99  
Date

INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

NAME  
ADDRESS

entitles. are required from each named person, concern or organization having rights to the invention according to their status as small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \* NOTE: Separate verified statements could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who rights to the invention are not exclusive, each individual, concern or organization having

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having with regard to the above identified invention.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization  the specification filed herewith  
 application serial number , filed  
 patent number , issued

“PROPHOSPHORYLASE”, by inventor(s) Patricia L. Conklin, Susan R. Normis and Robert L. Last described in: to the invention entitled, “TRANSGENIC PLANT WITH INCRASED EXPRESSION OF GDP-MANNOSE” 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in

(CITATION OF STATUTE )  
(NAME OF STATE )

UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
 WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATE OF STATE OF THE  
501(e)(3) IF LOCATED IN THE UNITED STATES OF AMERICA  
 WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and

(CITATION OF STATUTE )  
(NAME OF STATE )

OF AMERICA  
 NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATE OF THE UNITED STATES  
 TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(e)(3))  
 UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION

TYPE OF ORGANIZATION

NAME OF ORGANIZATION Boyce Thompson Institute for Plant Research, Inc.  
ADDRESS OF ORGANIZATION Tower Road, Ithaca, New York 14850

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

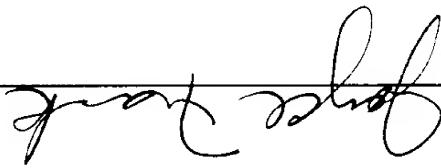
VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(d) - NONPROFIT ORGANIZATION

Title: TRANSGENIC PLANT WITH INCRASED EXPRESSION OF GDP-MANNOSE PROPHOSPHORYLASE  
Filed or Issued: November 16, 1999  
Docket No.: BTI-41  
Serial or Patent No.: Patentee: Patricia L. Conklin, Susan R. Normis and Robert L. Last

Attorney's  
Applicant or Patentee: Patricia L. Conklin, Susan R. Normis and Robert L. Last

\_\_\_\_\_  
SIGNATURE

DATE



ADDRESS OF PERSON SIGNING: Tower Road, Ithaca, New York 14850

TITLE OF PERSON SIGNING: Vice President of Operations  
Boycott Thompson Institute For Plant Research, Inc.

NAME OF PERSON SIGNING: Joyce Frank

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, and patent issuing thereon, or any patent to which this verified statement is directed.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))